

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PATRIOT CONTRACT SERVICES,

No. C04-05428 MJJ

Plaintiff,

**ORDER VACATING JUDGMENT**

v.


United States of America,

Defendant.

On April 13, 2005, this Court issued its Order denying the Government's Motion to Transfer this action to the United States Court of Federal Claims. (Doc. #146.) The Government thereafter appealed the Court's Order to the United States Court of Appeals for the Federal Circuit. (Doc. #187.) Subsequently, the Government moved to vacate this Court's Order denying its Motion and to dismiss the appeal on the ground that, after the Government filed its appeal, Plaintiff Patriot Contract Services, LLC, voluntarily dismissed the district court action. (See Doc. #206.) On October 19, 2005, the Court of Appeals for the Federal Circuit issued an order granting the Government's motion for vacatur, remanding the case to this Court, and instructing this Court to vacate the April 13, 2005 Order as moot. (Doc. #209.) Accordingly, the Court's April 13, 2005 Order is **VACATED AS MOOT**.

**IT IS SO ORDERED.**

Dated: 11/16/2005

  
MARTIN J. JENKINS  
UNITED STATES DISTRICT JUDGE